

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YAHKIMA GOMEZ-KADAWID,

Plaintiff,

-against-

DR. LEE, *et al.*,

Defendants.

20cv01786 (VEC) (DF)

ORDER

DEBRA FREEMAN, United States Magistrate Judge:

Plaintiff Yahkima Gomez-Kadawid (“Plaintiff”), proceeding *pro se* and *in forma pauperis*, brings this action under 42 U.S.C. § 1983, alleging improper medical treatment by medical staff at Bellevue Hospital. By Order dated April 23, 2020 (Dkt. 9), the Honorable Valerie Caproni directed the Clerk of Court to fill out a U.S. Marshals Service Process Receipt and Return form (USM-285) for each defendant, to issue a summons, and to deliver to the Marshals Service all paperwork necessary for the Marshals Service to effect service upon the defendants.

The Marshals Service effected service on defendants Drs. Alsaban and Leantt (*see* Dkts. 13, 14 (Returns of Service)), but was unable to effect service on defendant Dr. Lee, identified in the Complaint as a “dentist/doctor” at Bellevue (*see* Dkt. 2 (Complaint)). Specifically, the Marshals Service reported that, although it attempted service on Dr. Lee on July 7, 2020, at Bellevue Hospital, 462 First Avenue, New York, NY 10016, it was informed that Dr. Lee was “no longer employed at [that] location.” (*See* Dkt. 12 (Unexecuted Return of Service).)

Under *Valentin v. Dinkins*, 121 F.3d 72 (2d Cir. 1997), a *pro se* litigant is entitled to assistance from the district court in identifying a defendant, *see id.* at 76. Accordingly, it is hereby ORDERED as follows:

1. The New York City Law Department, which is the attorney for and agent of the City of New York, shall ascertain the last-known address for defendant Dr. Lee, previously employed at Bellevue Hospital, so that the Marshals Service may serve Dr. Lee. The New York City Law Department shall provide this information to Plaintiff and to the Court within 60 days of the date of this Order.

2. The Clerk of Court is directed to serve a copy of this Order and the Complaint on the New York City Law Department at: 100 Church Street, New York, NY 10007.

3. The Clerk of Court is further directed to mail a copy of this Order to Plaintiff at the address reflected on the Docket and shown below, and to note such service on the Docket.

Dated: New York, New York
January 4, 2021

SO ORDERED



DEBRA FREEMAN
United States Magistrate Judge

Copy to:

Yahkima Gomez-Kadawid
DIN No. 19A1623
Central New York Psychiatric Center
P.O. Box 300
Marcy, NY 13403-0300